

FILED

OCT 05 2007
10-5-07

MICHAEL W. DONNINO
CLERK, U.S. DISTRICT COURT

NH

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Tyrone Wilson
6642 California Ave.
Chicago, IL 60629

Plaintiff,

v.

Creditors Financial Group, LLC
c/o CT Corporation System, Registered Agent
208 S. LaSalle Street
Chicago, IL 60604

Defendant.

**07CV 5657
JUDGE NORGLÉ
MAGISTRATE JUDGE ASHMAN**

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT
COLLECTION PRACTICES ACT
AND OTHER EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collections Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper in this district because this is the judicial district where all of the events giving rise to the cause of action took place.

FACTS COMMON TO ALL COUNTS

2. The Plaintiff is a person who incurred a consumer debt primarily for personal, family or household purposes.
3. Defendant is a corporation doing business primarily as a consumer debt collector.
4. Defendant is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6).
5. The Plaintiff is a "consumer" as defined by 15 U.S.C. §1692a(3).
6. The debt in question qualifies as a "debt" as defined by 15 U.S.C. §1692a(5).

7. Defendant is either the holder of the debt or was retained by the current holder to collect the debt.
8. All of Defendant's actions occurred within one year of the date of this Complaint.
9. On or around June 29, 2007, Defendant contacted the Plaintiff via telephone and threatened to place a lien on Plaintiff's home if Plaintiff did not satisfy the debt.
10. At the time of the above communication, Defendant had not obtained a judgment against Plaintiff.
11. As a result of Defendants threat, Plaintiff feared that that he would lose possession of his home.
12. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collections Practices Act

13. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
14. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect a debt.

COUNT TWO

Violation of the Fair Debt Collections Practices Act

15. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
16. The Defendant violated 15 U.S.C. §1692e, generally, by having non-attorneys overtly state that they could control the decision to litigate and the timing and scope of the litigation, when in fact this would be an attorney decision.

COUNT THREE

Violation of the Fair Debt Collections Practices Act

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

18. The Defendant violated 15 U.S.C. §1692e in that it threatened legal action where such action was not contemplated, and stated for the sole purpose of terrifying the Plaintiff.

COUNT FOUR

Violation of the Fair Debt Collections Practices Act

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.

20. The Defendant violated 15 U.S.C. §1692c by making misrepresentations during its conversations with Plaintiff.

JURY DEMAND

21. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

22. Plaintiff prays for the following relief:

- a. Judgment against Defendant for actual damages, statutory damages pursuant to 15 U.S.C. §1692k and costs, and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
- b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Legal Helpers, P.C.

By: _____

Jeffrey S. Hyslip
Attorney for Plaintiff
20 W. Kinzie Street, Suite 1300
Chicago, IL 60610
Telephone: 866-339-1156
Email: jsh@legalhelpers.com